



CALIFORNIA VETERANS BOARD
GENERAL SESSION MEETING #685
FEBRUARY 10, 2006



Leo Burke, Vice Chair
William D. Jackson, Member
Jake Alarid, Member

Vernon Chong, Member
Randal Bressette, Member
Alice Astafan, Member

The California Veterans Board met at Clovis Memorial Hall, Clovis, California at 9:00 a.m.

ROLL CALL

Present: Board Members Leo P. Burke Vice-Chairman, Vernon Chong, William D. Jackson, Randal Bressette, Alice Astafan, Jake Alarid

Absent: None

Vice Chair Burke presided

INVOCATION

PLEDGE OF ALLEGIANCE

WELCOMING REMARKS AND INTRODUCTION

John Borders, Invocation

Alfred Lugo, Pledge of Allegiance

Vice Chair Burke introduced honorable Mayor of Clovis Nathan Magsig. Mayor Magsig said he is honored that the California Veteran's Board is holding its meeting in Clovis, and it is his hope that future meetings will be held here as well. He thanked the Board for their commitment and he looks forward to working with them in the future.

Vice Chair Burke introduced Mr. Bob Small, staff assistant to Congressman Radanovich. Mr. Small stated that he is the Congressman's military liaison. The Congressman is interested in seeing that everything moves along expeditiously in building veteran homes.

OPENING REMARKS

Vice-Chairman Leo Burke said he is conducting the meeting as Vice Chair and welcomed the three new Board members. Election for a new Board Chairman will be agenzized for the next meeting. The Executive Officer will provide a list of Committees to each Board member and he asked members to indicate their preference for Committee assignments and to return the information to the Executive Officer.

California Veterans Board members were introduced. New Board members Bressette, Astafan, and Alarid provided their background to all present. Audience members introduced themselves to those present.

CALIFORNIA VETERANS BOARD CONSENT ITEMS

1. AUTHORIZE RESOLUTIONS FOR DEPARTMENT BOARD MEMBERS

George Sinopoli and Jim Crump were not reappointed to this Board. The Board has a long-standing custom of presenting resolutions of appreciation to its departing members. Vice Chair Burke moved that the Board authorize and instruct the Executive Officer to see that the appropriate resolutions are prepared to recognize both George Sinopoli and Jim Crump for their service, as well as to prepare a recommendation to the Board for an appropriate special ceremony to honor Mr. Sinopoli and to present the resolution and the recommendation at the Board meeting for its consideration at the next meeting in Ventura on March 10, 2006. Board member Chong seconded. The vote was as follows:

AYES: Board member Burke, Chong, Jackson, Bressette, Astafan, Alarid

NOES: None

ABSENT: None

Vice Chairman declared the motion carried.

2. OPENING REMARKS

Undersecretary Roger Brautigan thanked Bruce Thiesen Executive Director of Clovis Memorial Hall for the use of their facility and thanked the Veterans for their service to the Nation and their involvement in making sure that the Veterans' benefits don't get eroded. The Department of Veterans Affairs is coming up to its 60th anniversary and celebrations will be held in May. He would like the Board to participate in the planning stages of the celebration. He introduced members of his staff.

3. MINUTES

Executive Officer, Sandra Munoz

RECOMMENDATION

Approve the minutes of the meeting held November 8, 2005

Board member Chong moved to approve the November 8, 2005 minutes. Board member Jackson seconded. The vote was as follows:

AYES: Board member Burke, Chong, Jackson, Astafan,

NOES: None

ABSTAIN: Board members Bressette and Alarid

ABSENT: None

Chairman declared the motion carried.

4. UNFINISHED BUSINESS

a. Policy B-5 Fire and Hazard Insurance-Loss Payment Account

Board member Chong said at the last meeting Policy B-5 was discussed. The Board had previously deleted B-5 because they felt it was not necessary since the Policies had been revised. However, in doing so, a provision under policy B-5 was deleted that allows the Department to establish a fund, which is more responsive to the Veterans as far as loss. The Policies and Procedures Committee reinstated the policy to ensure that the CalVet homeowners covered under the fire and hazard insurance receives prompt payment for living expenses and property damages by having funds reserved.

RECOMMENDATION

Approve the recommendations from the Policies and Procedures Committee to reinstate Policy B-5.

Board member Chong moved approval. Board member Jackson seconded. The vote was as follows:

AYES: Board member Burke, Chong, Jackson, Bressette, Astafan, Alarid

NOES: None

ABSENT: None

Chairman declared the motion carried.

5. NEW BUSINESS

Executive Officer Munoz noted that three appeals have been received as follows:

- a) Victor M. Oliver Nunez (#05-08)
- b) Darres J. Munds (#06-01)
- c) Scott Barnes (#-6-02)

The appeals process was explained and the appeals were assigned as follows: Scott Barnes assigned to Jake Alarid; Darres Munds assigned to Randal Bressette; and Victor Nunez assigned to Vernon Chong.

Discussion:

Board member Alarid asked when and where the appeals would be scheduled. Advisory member Jackson said the law requires that the Board's hearings on these appeals be held as close as possible to the veteran's residence. He suggested determining the dates and places, keeping in mind the Board might need to schedule a special meeting to hear the appeal if the Board's regular meeting schedule does not accommodate the need to have the hearing nearest the Veteran's home.

Advisory member Jackson suggested that the Board member who is assigned to a particular appeal, should check the Board schedule of meetings and determine whether or not the Board's schedule would accommodate the needs of that Veteran's hearing within a reasonable time, and if not, to recommend to the Board that it hold a special meeting.

Chief Counsel Wilson said he would need at least 30 days notice in order to properly prepare the Department's side of the case.

RECOMMENDATION

Chair Burke stated that from the comments made at today's meeting, a procedure would be identified and presented to the Board at its next meeting. He asked Board member Chong to serve on a committee to draft a procedure for meeting schedules.

6. POSTING ON WEBSITE

a) Posting Appeal Process: Advisory member Jackson stated that the Board has before it today, the combined draft appeal process (including the Department Chief Counsel's comments). Since the Board just received a copy of the drafts this morning, he recommended that the Board take time to review these documents and place this item on the agenda for the next meeting.

RECOMMENDATION

Hold this item over until the next Board meeting.

Board member Chong moved to agenized this item for the next Board meeting. Board member Alarid seconded.

Discussion:

Board member Astafan asked for clarification on which draft was being proposed to place on the website.

Board member Bressette asked if the motion assumes that the Board will make their own editorial comments separately to the Executive Officer for incorporation. Advisory member Jackson asked Chief Counsel if each member of this Board reviews these draft documents and submit individual comments to the Executive Officer, and then have the Executive Officer combine those comments would this be in violation of the Bagley-Keene Act. Chief Counsel Wilson said the Bagley-Keene Act prohibits secret decision-making. It does not prohibit the Board from reviewing and commenting on documents, and therefore, this process would not violate Bagley-Keene as long as Board members do not discuss their changes amongst themselves.

Advisory member Jackson offered a new motion to read: The Policy and Procedure Committee, together with the Executive Officer, will work on a combined draft of the Appeal Process to be published on the Board's website; individual Board members will submit comments and editorial suggestions to the Executive Officer, who will then, working with the Policy Committee, prepare a draft to be presented to the Board members.

The vote was as follows:

AYES: Board member Burke, Chong, Jackson, Bressette, Astafan, Alarid

NOES: None

ABSENT: None

Discussion:

Board member Chong said the Policies and Procedures will address this and once it is in final form, it will be provided to Board members for their review and comments. The comments will be incorporated into the document and it will be posted on the website and the final draft will be presented at the next Board meeting.

The Bagley-Keene Act was explained and discussed. Chief Counsel Wilson discussed the review of appeals process and the inappropriateness of any Board member to conduct investigation of any appeals.

Chairman declared the motion carried.

b) Posting Board Members Biographies: Vice Chair Burke stated that the biographies of Board members will be posted on the internet and would like participation from the Board members. This will be handled at the next Board meeting.

7. CALIFORNIA VETERANS BOARD LOGO

Vice Chair Burke asked Board members to review the sample logos.

RECOMMENDATION

Board member Astafan moved to accept logo #1. Board member Bressette seconded.

Discussion: None

Public Comment: None

AYES: Board member Burke, Chong, Jackson, Bressette, Astafan, Alarid

NOES: None

ABSENT: None

Chairman declared the motion carried.

Board member Bressette suggested a tutorial on the appeals process for Board members. He also proposed that a special meeting be scheduled to discuss the Board's policies and procedures and goals.

8. CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS DEPARTMENTAL UPDATE

a) GLAVC (Greater Los Angeles/Ventura Counties): Undersecretary Brautigan introduced Mr. Bob Johnson who provided a briefing regarding Veteran home costs, bond availabilities, and impact on future Veteran homes projects in the Redding and Fresno areas.

Undersecretary Brautigan said that he will need everyone's help to get provisional language for HR-2952, and recommended that the Board submit a letter.

The Secretary's Conference will be held April 7 in Sacramento and if this conflict with the Board meeting, he recommends the Board change their meeting date.

The Governor's budget proposal for next year has been very generous to Veterans, with \$5 million extra dollars to help improve the Veterans Program. The Governor launched his strategic growth plan, which will benefit Veterans in a great way.

Discussion: Mr. Bressette asked Undersecretary Brautigan if there would be funds available to have a staff member focus on homeless issues that Veteran's face. Mr. Brautigan said no, but he supports working issues for homeless and in the past, he has used existing staff to help cover this issue. This is something that should be looked into for the future, and he believes this Administration would support this and he will put in for a staff member to focus on the homeless in the next budget year.

Mr. Bressette said in a staff report it was noted that Yountville had ADA issues, and he asked if the other two homes had ADA issues. Undersecretary Brautigan said he does not believe they do, but he will find out the answer and get back to the Board Chairman.

Member Chong asked Executive Officer Munoz to see about moving the April 7 Board meeting in order that Board members can attend the Secretary's Conference.

9. SELECT COMMITTEE UPDATES

a) Policy and Procedures: Guide on Conducting Appeal Hearings – Member Chong stated that all of the Board members should have a copy of the format to be used for conducting appeal hearings.

RECOMMENDATION

Board Member Chong moved for adoption of the proposed guide on conducting appeal hearings. Board member Burke seconded.

Discussion: Mr. Bressette said he is at a disadvantage because this guide was not included in his notebook, but he doesn't feel it's necessary to delay the vote.

AYES: Board member Burke, Chong, Jackson, Bressette, Astafan, Alarid

NOES: None

ABSENT: None

Chairman declared the motion carried.

b) Legislative Report - Mr. Steve Samuelian state he has been working closely with the Department. He commended Secretary Johnson and Undersecretary Brautigan for their diligence and hard work. He updated the Board on AJR32. This resolution urges the President to extend the CalVet program. Mr. Samuelian thanked the Board for its support and all of their assistance.

RECOMMENDATION

Board Member Burke moved to support AJR32. Board member Chong seconded.

Discussion: None

AYES: Board member Burke, Chong, Jackson, Bressette, Astafan, Alarid

NOES: None

ABSENT: None

Chairman declared the motion carried.

10. OTHER UPDATES

Board member's travel report:

Vice Chair Burke reported that on January 13 and 14 he attended the Legion Third Area meeting at Fresno; January 20 and 21 attended the Area 5 American Legion Meeting; February 2 attended the GLAVC Greater Los Angeles/Ventura County Legislative briefing.

Board member Jackson said as he comes near his shortened term he would like to comment on his surprise and pleasure by the Viet Nam Veterans in the State of California on their attention to Veterans affairs. He also mentioned that Barstow has a remarkable staff of people and he would like to see three words incorporated in the California system of Veterans Care: "Care, Compassion and Commitment". He also feels it is important to reach out to the public so that they can understand what the California Veterans Board does; "Tell our story".

11. AGENDA ITEMS FOR FUTURE MEETINGS

Vice Chair Burke said at the March meeting the formal hearing of Richard Jones will be heard.

12. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

David Salopek
Tom Montague
Glen Yokum
Charles Waters
Jack Climer

13. ADJOURNED at 12:20 p.m.

FUTURE MEETING DATES AND LOCATIONS:

All meetings take place on Friday unless notified.

Next board meeting **March 10, 2006, Ventura**
Yearly schedule is posted on web site: www.cdva.ca.gov/board

CLOSED SESSION (if necessary or required)

The general reason or reasons for a closed session, and the specific statutory authority therefore, are (1) to consider the appointment or employment of a public employee under the authority of Section 11126(a) of the Government Code; and (2) to confer with or receive advice from the Board's legal counsel regarding pending litigation under the authority of Section 11126(E)(2)(A), (2)(B), and (3) of the Government Code.

These minutes are posted to the California Department of Veterans Affairs on-line website at www.cdva.ca.gov/board

